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DISH NETWORK CALIFORNIA SERVICE
8 CORPORATION; AND DISH NETWORK
SERVICE CORPORATION, LLC
9

10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN FRANCISCO DIVISION

13 MICHAEL DAYA,

14 Plaintiff,

15 v.

16 ECHOSTAR SATELLITE
CORPORATION; DISH NEWORK
17 CALIFORNIA SERVICE
CORPORATION; DISH NETWORK
18 SERVICE CORPORATION;
ECHOSPHERE CORPORATION,,
19

20 Defendants.

Case No. C 05-1737 CRB

**STIPULATION AND [PROPOSED]
ORDER CONTINUING DEADLINE FOR
COMPLETION OF EARLY NEUTRAL
EVALUATION, CASE MANAGEMENT
CONFERENCE, AND DEADLINE FOR
FILING CASE MANAGEMENT
CONFERENCE STATEMENT**

Judge: The Honorable Charles R. Breyer
Dept: 8, 19th Floor

21 WHEREAS, the deadline for completing Early Neutral Evaluation in the above-
22 entitled case is currently scheduled for January 5, 2006. This matter is also set for a Further Case
23 Management Conference on January 20, 2006 at 8:30 a.m. in Courtroom 8, 19th Floor, 450 Golden
24 Gate Avenue, San Francisco, California 94102; and

25 WHEREAS, counsel for both parties met and conferred regarding rescheduling of the
26 Early Neutral Evaluation deadline, Case Management Conference statement filing deadline, and the
27 Further Case Management Conference; and

28 WHEREAS, Plaintiff is currently in Syria and is unable to return to the United States

until January 2006 due to security restrictions on travel between the United States and various countries in the Middles East; and

WHEREAS, the parties have agreed to schedule Plaintiff's deposition and the Early Neutral Evaluation during the approximately 20-day window while Plaintiff is in the United States in January 2006; and

WHEREAS, the parties have agreed that, in light of Plaintiff's absence from the Country until approximately January 5, 2006, a continuance of the Early Neutral Evaluation deadline is necessary to allow Defendants an opportunity to take Plaintiff's deposition prior to the ENE; and

WHEREAS, the parties agree that judicial economy would be served by continuing the deadline for the ENE and the Case Management Conference to allow the parties to complete ENE prior to any Further Case Management Conference; and

NOW THEREFORE, the parties hereby stipulate as follows:

1. The deadline for Completing Early Neutral Evaluation should be continued from January 5, 2006 to January 25, 2006;

2. The Case Management Conference hearing currently scheduled for January 20, 2006 may be vacated and the matter reset for hearing on Friday, February 17, 2006 at 8:30 a.m. in Courtroom 8, 19th Floor, or as soon thereafter as it may be held; and

3. The parties shall file a Further Case Management Conference Statement with the Court by Tuesday, February 7, 2005.

Dated: November 15, 2005

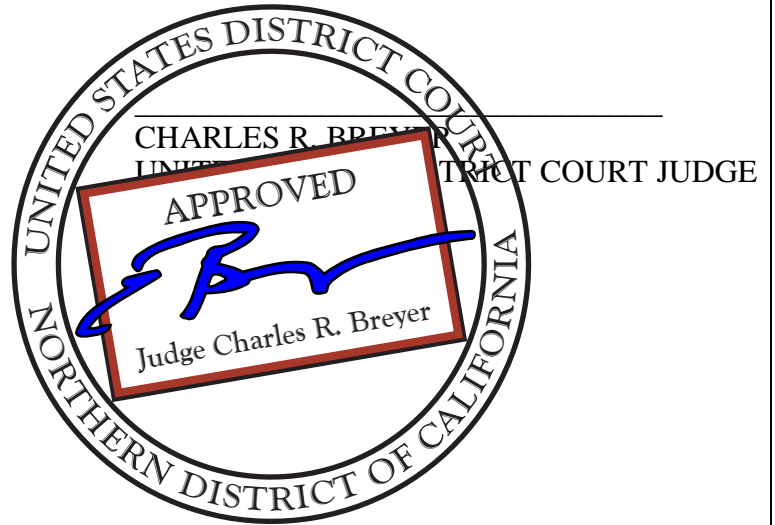
/s/
NEDA N. DAL CIELO
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Attorneys for Defendants
ECHOSTAR SATELLITE, LLC; DISH NETWORK
CALIFORNIA SERVICE CORPORATION; AND
DISH NETWORK SERVICE CORPORATION, LLC

Dated: November 14, 2005

/s/
BETH W. MORA
LAW OFFICES OF LUCIUS A. COOPER
A Professional Corporation
Attorneys for Plaintiff
MICHAEL DAYA

1 **IT IS SO ORDERED.**

2
3 Dated: November 16, 2005



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